

REMARKS

Claims 1-6, 8, 10-30 are currently pending in the subject application and are presently under consideration. Claims 1, 8, and 17 have been amended as shown on pp. 2–6. Claims 7 and 9 have been cancelled herein without prejudice or disclaimer.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

Claims 1-6, 8, 10-30 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of U.S. Patent No. 6,633,769. Withdrawal of this rejection is respectfully requested in view of the Terminal Disclaimer accompanying this Response.

Applicant's representative thanks the Examiner for indicating that claims 22-30 are allowed, and that claims 8-12 and 19-20 would be allowable if recast in independent form.

Independent claims 1 and 17 have been amended herein to recite limitations deemed allowable by the Examiner. Accordingly, the rejection of these claims (and the claims that respectively depend there from) under 35 U.S.C. §103(a) based upon Nishihara (US 2001/0012794) in view of Li (US 6,356,538) is believed to be moot – withdrawal of this rejection is respectfully requested.

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [TELNP218USB].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

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